

2-21-02

Docket No.: PC-0053 CIP

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"Express Mail" mailing label number EL 950 578 811 US. I hereby certify that this document and referenced attachments are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10, addressed to: Commissioner for Patents, Box Patent Application, Washington, D.C. 20231 on February 20, 2002
 By: Nancy Ramos
 Printed: Nancy Ramos

Commissioner for Patents
 Box Patent Application
 Washington, D.C. 20231

Transmitted herewith for filing is a continuation-in-part patent application of:

Inventors: Susan G. Stuart and David G. Streeter

Title: BREAST CANCER MARKER

Enclosed are:

- ☒ Return postcard;
☒ Transmittal for Patent Application (1 pg., in duplicate)
☒ Sequence Listing Statement (1 pg.)
☒ One (1) Computer-Readable Diskette.
☒ 43 Pages of Specification (1-43);
☒ 3 Pages of Claims (44-46);
☒ 1 Page of Abstract (47);
☒ 3 Page of Tables (Table 1: 1 pg., Table 2: 2 pgs.);
☒ 5 Sheets of Figures (Fig. 1A, 1B, 1C, 1D, 1E);
☒ 3 Pages of Sequence Listing (1-3);
☒ 3 Pages - **Unexecuted** Declaration and Power of Attorney; and
☒ Other: Information Disclosure Statement (2 pp.), List of Cited References (1-13)

Under 35 USC §120, this application claims the benefit of prior U.S. Applications:

U.S. Ser. No.	Filing Date	Status
<u>09/232,160</u>	<u>January 15, 1999</u>	<input checked="" type="checkbox"/> Pending <input type="checkbox"/> Issued <input type="checkbox"/> Abandoned

- ☒ Cancel in this application original claims 21-28 before calculating the filing fee, without prejudice or disclaimer. Applicants submit that these claims were included in the application as filed in the interest of providing notice to the public of certain specific subject matter intended to be claimed, and are being canceled at this time in the interest of reducing filing costs. Applicants expressly state that these claims are not being canceled for reasons related to patentability, and are in fact fully supported by the specification as filed. Applicants expressly reserve the right to reinstate these claims or to add other claims during prosecution of this application or a continuation or divisional application. Applicants expressly do not disclaim the subject matter of any invention disclosed herein which is not set forth in the instantly filed claims.

Fee Calculation - The fee has been calculated as follows:

CLAIMS AS FILED (fees computed under § 1.16)

Claims	Number Filed	Minus	Number Extra	Other Than Small Entity Rate	Basic Fee
				Fee	\$740.00
Total Claims	20	-20	0	x \$18	\$0
Indep. Claims	3	-3	0	x \$84	\$0
___ Multiple Dependent Claim(s), if any					+ \$280
					0

TOTAL FILING FEE \$ 740.00

The Commissioner is hereby authorized to charge Deposit Account No. **09-0108** in the amount of **\$ 740.00**. The Commissioner is hereby authorized to charge any additional fees required under 37 C.F.R. § 1.16 and 1.17, or credit any overpayment to Deposit Account No. **09-0108**. A duplicate of this sheet is enclosed.

Respectfully submitted,

INCYTE GENOMICS, INC.

David G. Streeter

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By: Nancy Ramos Printed: Nancy Ramos

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Susan G. Stuart and David G. Streeter

Title: BREAST CANCER MARKER

Serial No.: To Be Assigned

Filed: Herewith

Examiner: To Be Assigned

Group Art Unit: To Be Assigned

Commissioner for Patents

Box Sequence

Washington, D.C. 20231

SUBMISSION UNDER 37 CFR §1.821- 1.825 SEQUENCE LISTING

Sir:

In accordance with the requirements of 37 CFR §1.821- 1.825, Applicants hereby submit one (1) diskette containing the computer-readable information for the "Sequence Listing" of the above-identified application. The diskette complies with the requirements of 37 CFR §1.824 and is IBM PC compatible using a UNIX operating system with PERL Program.

Accompanying the application is the paper copy of the Sequence Listing as disclosed in the application.

The content of the "Sequence Listing" paper copy is identical to the computer readable copy, as required under 37 CFR § 1.821(f).

Respectfully submitted,

INCYTE GENOMICS, INC.

Date: February 20, 2002 David G. Streeter

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